

**UTAH AIR QUALITY BOARD MEETING**  
**February 1, 2006**

**FINAL MINUTES**

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**I. Call to Order**

John Veranth called the meeting to order at 1:35 p.m.

Board members present:

|                 |                |                |               |
|-----------------|----------------|----------------|---------------|
| John Veranth    | Ernest Wessman | Dianne Nielson | Scott Lawson  |
| Wayne Samuelson | Don Sorensen   | Jerry Grover   | JoAnn Seghini |
| Nan Bunker      | Jim Horrocks   | Stead Burwell  |               |

Executive Secretary: Richard W. Sprott

**II. Date of the Next Air Quality Board Meetings**

March 8, 2006 and April 5, 2006.

**III. Approval of the Minutes for January 4, 2006 Board Meeting**

Changes had been made previous to the Board Meeting and there were no other changes to be made.

- Mr. Horrocks made the motion to approve January's minutes. Mr. Samuelson seconded and the Board approved unanimously.

**IV. Propose for Public Comment: Amend R307-204, Emission Standards: Smoke Management.** Presented by: David E.B. Strohm II.

Mr. Strohm introduced himself, he is an Environmental Scientist with the Division and he introduced Mr. Peter Goetzinger, who is the Regional Fire Officer for the Cedar City Ranger District.

Mr. Strohm explained how DAQ developed a Smoke Management plan (SMP) in 1999 to control the release and impact of particulate pollution associated with prescribed and controlled fires in the State of Utah.

DAQ has reviewed R307-204 and proposes the following changes to the rule so it remains consistent with the SMP. The changes that were proposed are divided into three main areas: First is the addition of "pile burning" to the rule. This addition is meant to help burners deal with mechanically or hand stacked piles that are a result of their maintenance activities. The addition of "pile burning" will help clarify the procedures by which piles can be burned.

Second is a change in the manner that WFU events are reported to DAQ. Prior to this change, WFU events were allowed to grow to 20 acres before information had to be submitted to DAQ. It was determined by DAQ and the Smoke Program Coordinator that it would be more helpful to the Smoke Management Program to have information about all WFU events regardless of size. Therefore a change is proposed to require burners to report all WFU events to DAQ as soon as they become aware of the events.

Third is the addition of an allowance for conditional de minimis burning between National Weather Service Clearing Indexes of 400 and 500. This addition is meant to help ascertain whether the current de minimis clearing index cut off level of 500 is too high. Because little is known about the impacts of reducing the clearing index burning cut off to 400. DAQ has proposed an allowance for conditional burning down to a clearing index of 400 with the stipulation that information about the fire must be gathered in order to help inform a more permanent change in clearing index level at a later time.

Additional changes were also made to the rule to ensure consistency between the SMP and the rule. Examples of these changes are the addition or revision of definitions, the changing of certain formatting, and changes to clarify language.

Mr. Horrocks asked if the 739 piles used in the example were one single pile, would the emissions change. Mr. Strohm stated it doesn't make a change.

Mr. Grover asked if back burns were included in the program in the program and required approval.. Mr. Strohm stated that it is not a prescribed burn, but he would need to look into it.

Mr. Horrocks pointed out some editorial changes that needed to be made in the rules. Mr. Strohm stated that he would get the changes made.

Mr. Goetzinger had a slide presentation. See attachment #1.

Mr. Strohm then stated that the staff recommends that R307-204 be proposed for public comment.

- Mr. Wessman made a motion to purpose for public comment to amend R307-204, Emission Standards: Smoke Management with the editorial changes made known by Mr. Horrocks. Ms. Seghini seconded and the Board approved unanimously.

**V. Propose for Public Comment: Amend R307-801, Asbestos. Presented by Robert Ford.**

Mr. Ford stated that the Utah Air Quality Board last approved modifications to the state asbestos rule (R307-801) on August 1, 2000. The Division's Hazardous Air Pollutants Section has contracted with Weber State University to develop an electronic asbestos/lead-based paint project notification system, which includes an on-line electronic payment portal, but the rule does not provide for electronic notification.

Mr. Ford then stated that the purpose of this rule change is to incorporate language into R307-801-12 allowing certified asbestos companies to submit the required notification forms electronically using the Asbestos/Lead-Based Paint Program Electronic Notification System. The proposed change in the rules allows the use of an electronic signature and establishes the date of notification submission. There are several other minor changes located in R307-801-12 (1), R307-801-14 (2) (b), R307-801-14 (4) and R307-801-15 (1) that resolves inaccuracies created during previous rule making activities.

Mr. Ford stated that the staff recommends the Board propose for public comment the changes to R307-801, Asbestos. The recommended changes to R307-801 are attached. See attachment #2. A hard copy of the rule was available at the Board meeting.

- Mr. Grover made a motion to propose for public comment the changes to R307-801. Ms. Bunker seconded. The Board approved unanimously.

## **VI. Informational Items**

### **A. Clean Air Mercury Rule. Presented by Bill Reiss**

Mr. Reiss stated that there has been a lot of talk about Mercury in the news lately. The Clean Air Mercury Rule (CAMR) is a federal rule and it was signed May 18, 2005. He wanted to update the Board on how DAQ is involved in mercury. Utah has less than 1% of mercury emissions in the United States. Mercury from coal-fired power plants is more of an eastern problem.

Mr. Reiss stated that it targets Coal-Fired Electrical Generating Units (EGUs) serving generators that are 25 Mega Watts or larger. It sets nation-wide caps on mercury emissions: There are two phases, in phase 1 there is 38 tons per year, which will begin in 2010. Phase 2 there is 15 tons per year, which begins in 2018.

Mr. Reiss then stated that Utah's allowances are 0.506 tons per year (1,012 lbs/yr) for 2010-2017 and 0.200 tons per year (400 lbs/yr) for 2018 and beyond. This compares with EPA's estimate of 0.142 tons (284 lbs) emitted in 1999, and implies that Utah will be a net seller of emission credits (most likely to sources in the East.)

Mr. Horrocks asked where would the revenues go from the emissions credits. Mr. Reiss stated that EPA would administer that program. Mr. Horrocks then asked who would have the authority to administer it. Mr. Reiss stated that the state would give the allowances out within the proposed rule.

Mr. Horrocks asked if they would have a problem selling the credits. Mr. Sprott stated that it would operate like the EPA Acid Rain SO<sub>2</sub> program with Chicago Board of Trade. The state could take a different direction to insure that the national targets goal could be met.

Mr. Wessman had comments about the mercury emissions testing being done in the late 1990's. He stated that the testing was done to assess the scrubbers on the Huntington Plant. Emissions

depend on the type of coal and the mercury content. He then stated that coal costs too much to move so companies are unlikely to ship coal for mercury control. He also talked about the amount of elemental mercury and methyl mercury.

Kathy Van Dame from the Wasatch Clean Air Coalition had comments about how the tribes reviewed the state of the science at a WRAP meeting on December 14, 2005 and the PowerPoint and videos are on the website at [www.wrap.org](http://www.wrap.org).

Mr. Reiss stated that DAQ would be working with affected stakeholders to develop the State's approach to controlling mercury at EGUs. All states and tribes would need to submit plans to implement the rule by November 17, 2006. Sources will need to begin monitoring by January 1, 2009. Utah's plan would address concerns about mercury and the impacts on public health. The Designated Facilities Plan and associated rulemakings will require action by the Air Quality Board. As work products take shape, DAQ will come back to the Board for its approval.

Mr. Veranth commented that was a tight schedule.

**B. Holcim Inc.-Status of Permit Modification, Quarterly Update. Presented by John Jenks.**

Mr. Jenks stated Holcim has completed their monitoring and DAQ has received their notice of intent to prepare their approval order. It will need to go out for a 60-day review to the land managers. Mr. Jenks then stated that it would go out to public comment and that final permit action was about 5-6 months out.

**C. Compliance. Presented by Jeff Dean.**

**D. HAPS. Presented by Robert Ford**

**E. Monitoring. Presented by Bob Dalley**

Mr. Dalley stated that the PM<sub>10</sub> values were highest in January but the values are below standards. He also stated that there was a mild inversion in the middle of December. He then stated that the values for PM<sub>2.5</sub> in December and January were high. Mr. Grover asked about the Air Quality in Cache Valley. Mr. Dalley stated that the air is a lot cleaner and looking good. He also stated that they didn't exceed the standard.

**Miscellaneous Items**

Ms. Bunker asked if the Board planned to have the Sevier Power hearing in Richfield. Mr. Sprott stated a decision needed to be made on a place and if we should have a telephone conference. Ms. Bunker stated that it would be best if the comments were written so they could be correctly noted in the minutes. Mr. Veranth stated we need to decide on the venue and we also need to communicate with the attorneys to see what is best.

Mr. Nelson stated that the Sierra Club appeal would be heard by the Utah Supreme Court on February 28, 2006.

Ms. Van Dame stated that there is some special monitoring equipment, oil field and would like to talk more about it at a later date. Mr. Sprott stated that there are two different efforts that involve the oil and gas industry and the other involves agricultural air quality. Both involve some amount of monitoring. It probably is time to update the oil and gas issue. The agricultural portion is a partnership similar to one for water quality and that was quite successful. There will be a plan developed to monitor emissions. It is a federal and state funded project. Utah is out front on this.

Mr. Veranth commented about the studies being done at Hawthorne Elementary by the Utah Asthma taskforce. Mr. Veranth appreciates all the support received from the Division of Air Quality as far as access to monitoring data and thanked them for all of their help.

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Meeting was adjourned at 2:50 p.m.